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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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UNITED STATES OF AMERICA

INDICTMENT *21-490 (ADC)*

v.

CHARLIE JOSE DIAZ-RIVERA,
Defendant.

VIOLATIONS:

18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(o)
18 U.S.C. § 841(a)(1)
18 U.S.C. § 924(c)(1)(A)

FOUR COUNTS

THE GRAND JURY CHARGES:

COUNT ONE

Prohibited Person in Possession of a Firearm and Ammunition: Felon
(18 U.S.C. § 922(g)(1))

On or about December 15, 2021, in the District of Puerto Rico and within the jurisdiction
of this Court,

CHARLIE JOSE DIAZ-RIVERA,

knowing he had been convicted of a crime punishable by imprisonment for a term exceeding one
year, did knowingly possess in and affecting commerce firearms and ammunition, that is, one
AK-47 Rifle, bearing serial number 012447, one Glock pistol, model 22, .40 caliber ammunition,
bearing serial number LPC-845, one Glock pistol, model 26, .9mm caliber ammunition, bearing
serial number AFVD-918, fourteen rounds of .223 ammunition, one-hundred and seventy-eight
rounds of .40 caliber ammunition, and eighty rounds of 9mm ammunition, all in violation of 18
U.S.C. §§ 922(g)(1) and 924(a)(2).

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COUNT TWO

Possession of a Machinegun

(18 U.S.C. § 922(o))

On or about December 15, 2021, in the District of Puerto Rico and within the jurisdiction of this Court,

CHARLIE JOSE DIAZ-RIVERA,

the defendant herein, did knowingly possess a machinegun as that term is defined in 26 U.S.C. § 5845(b), namely parts designed and intended solely and exclusively for use in converting a firearm into a machinegun, that is, to modify a firearm to shoot more than one round of ammunition, without manual reloading, by a single function of the trigger, all in violation of 18 U.S.C. §§ 922(o) and 924(a)(2).

COUNT THREE

Possession with Intent to Distribute Controlled Substances

(21 U.S.C. §§ 841(a)(1) and (b)(1)(C))

On or about the December 15, 2021, in the District of Puerto Rico and within the jurisdiction of this Court,

CHARLIE JOSE DIAZ-RIVERA,

the defendant herein, did knowingly and intentionally possess with intent to distribute detectable amounts of cocaine, a Schedule II controlled substance, all in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

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COUNT FOUR

**Possession of a Firearm in Furtherance of a Drug Trafficking Crime
(18 U.S.C. § 924(c)(1)(A))**

On or about December 15, 2021, in the District of Puerto Rico and within the jurisdiction of this Court,

CHARLIE JOSE DIAZ-RIVERA,

the defendant herein, did knowingly and unlawfully possess firearms, that is, one AK-47 Rifle, bearing serial number 012447, one Glock pistol, model 22, .40 caliber ammunition, bearing serial number LPC-845 and one Glock pistol, model 26, .9mm caliber ammunition, bearing serial number AFVD-918, in furtherance of a drug trafficking crime as charged in Count Three, of this Indictment, all in violation of 18 U.S.C. § 924(c)(1)(A).

FIREARMS AND AMMUNITION FORFEITURE ALLEGATION

The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c). Upon conviction of the offenses set forth in Counts One, Two, and Four of this Indictment, the defendant,

CHARLIE JOSE DIAZ-RIVERA,

shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved or used in the commission of the offense, including, but not

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limited to: one AK-47 Rifle, bearing serial number 012447, one Glock pistol, model 22, .40 caliber ammunition, bearing serial number LPC-845, one Glock pistol, model 26, .9mm caliber ammunition, bearing serial number AFVD-918, fourteen rounds of .223 ammunition, one-hundred and seventy-eight rounds of .40 caliber ammunition, eighty rounds of 9mm ammunition, and six parts intended for use in conversation of a firearm to automatic.

NARCOTICS FORFEITURE ALLEGATION

The allegations contained in Count Three of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

Pursuant to 21 U.S.C. § 853, upon conviction of the offenses in violation of 21 U.S.C. § 841(a)(1), set forth in Count Three of this Indictment, the defendant, CHARLIE JOSE DIAZ-RIVERA, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses.

If any of the property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

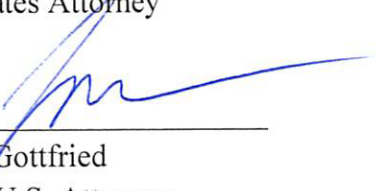
TRUE BILL,

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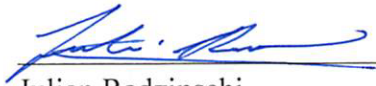
Date: 12/16/21

W. STEPHEN MULDROW

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